

optical disk, wherein the optical disk reader may read the first portion of the content stored on the optical disk." Thus, in such a method of distributing content, the content on each optical disk is unreadable unless an access code is written onto the optical disk. In contrast, the Gruse reference (USP 6,389,538) discloses a system for tracking end-user electronic content usage (see, e.g., the abstract). As acknowledged by the Examiner, the Gruse system does not disclose a method for distributing content stored on media such as optical disks, wherein the a first portion of the content on each optical disk is made readable by writing a first access code onto the optical disk. The Patterson reference (USP 6,389,541) adds nothing further.

According to the Patterson reference, access to electronic content may be regulated by transmitting tokens to a client computer storing locked electronic content. In response to the token, the client computer unlocks the electronic content. However, only the specific client computer that received the token may access the electronic content – see, e.g., the abstract. Accordingly, such a method to distribute content is very different from the method recited in claim 31 – in this method, once an optical disk has been unlocked by writing the first access code, the corresponding first portion of the content is readable by any suitable optical disk reader. Accordingly, claim 31 is patentable over both the Gruse and Patterson references.

Because claims 32 through 40 depend upon claim 31, they are patentable over the Gruse and Patterson references for the same reasons.

The Examiner also cited the Walker reference (USP 6,397,193) with respect to vending machine limitation in rejected claim 29. Because claim 29 has been cancelled, the relevance of the Walker reference is mooted.

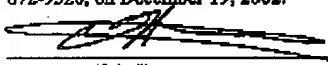
LAW OFFICES OF
MACPHERSON, KWOK & CHEN
• HEAD LAF
2402 MICHELSON DRIVE
SUITE 210
DOWNE, CA 92612
(949) 732-7040
FAX (949) 732-7049

CONCLUSION

For the foregoing reasons, pending claims 31 through 40 are in condition for allowance.

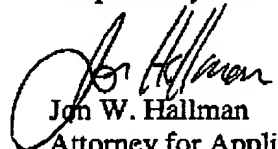
If there are any questions regarding any aspect of the application, please call the undersigned at 949-752-7040.

I hereby certify that this correspondence is facsimile transmitted to the Commissioner for Patents, Washington, D.C. 20231, at (703) 872-9326, on December 19, 2002.


Eric Hoover

December 19, 2002
Date of Signature

Respectfully submitted,


Jon W. Hallman
Attorney for Applicant(s)
Reg. No. 42,622

LAW OFFICES OF
MACPHERSON, KWOK CHEN
& HEID LLP

2402 MICHELSON DRIVE
SUITE 210
TRUCKEE, CA 96202
(949) 752-7040
FAX (949) 752-7049